

SWORN STATEMENT

The undersigned, being first duly sworn on my oath, does hereby affirm that the names and addresses of the people sponsoring this proposed initiative petition are set forth hereinafter, and that said sponsors are citizens and electors of Nebraska.

Tom Fencil
812 Moylan Drive
Elkhorn, NE 68022

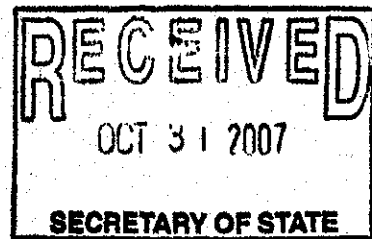
Jason Fuller
904 South 201st Street
Elkhorn, NE 68022

Dwite Pedersen
21440 Shamrock Road
Elkhorn, NE 68022

James Abel
1801 North 214th Street
Elkhorn, NE 68022

Jill Magers
3913 North 210th Street
Elkhorn, NE 68022

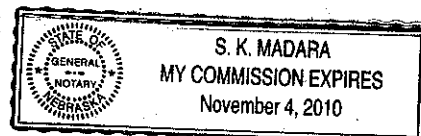
Troy Peterson
507 Jefferson Street
Waterloo, NE 68069



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 11th day of October, 2007, by [Signature]

[Signature: S. K. Madara]
Notary Public



TEXT OF MEASURE

FOR AN ACT relating to cities, villages, municipal counties, and annexed cities and villages; to provide petition and election procedures for detachment and reestablishment of an annexed city or village; and to provide powers and duties relating to such petition and election procedures.

Be it enacted by the people of the State of Nebraska.

Section 1.

- (1) The registered voters residing in the territory which comprised a city or village which was annexed without a vote of the registered voters residing in the annexed city or village may petition and vote to detach the territory from the annexing city or municipal county and reestablish the laws, ordinances, powers, government, property, and territory of such annexed city or village as it existed immediately prior to the effective date of the annexation. Such a petition must be filed within five years after the effective date of the annexation, except that such five-year period shall be tolled pending a final court decision in any action to contest such annexation.
- (2) If one or more of the registered voters residing in the territory which comprised such annexed city or village file with the election commissioner or county clerk a petition to detach and reestablish such annexed city or village, signed by registered voters residing in such territory at least equal in number to ten percent of the total vote cast for Governor in such annexed city or village at the last election for Governor held in such annexed city or village prior to the effective date of the annexation, the election commissioner or county clerk shall, after ascertaining that the required number of registered voters signed such petition, submit to the registered voters residing in the territory which comprised the annexed city or village at the next general or primary election after the filing of the petition, or at a special election to be held within ninety days after the filing of the petition, as determined by the election commissioner or county clerk, the question of detachment and reestablishment of such annexed city or village. Such question shall be submitted in substantially the following form: Shall the territory which comprised the former city or village of be detached from the city or municipal county of and the city or village of be reestablished? The ballot shall provide in the usual manner for a Yes or No vote on the question.
- (3) The election commissioner or county clerk shall give notice of the submission of the question not more than thirty days nor less than ten days before the election by publication one time in one or more newspapers published in or of general circulation within the boundaries of the territory which comprised the annexed city or village in which the question is to be submitted. This notice is in addition to any other notice required under the Election Act. Any election under this section shall be conducted in accordance with the procedures provided in the Election Act.

- (4) If at such election a majority of the votes cast on the question is not in favor of detachment and reestablishment, then such detachment and reestablishment shall be rejected and no other petition to detach and reestablish such annexed city or village may be filed.
- (5) If at such election a majority of the votes cast on the question is in favor of detachment and reestablishment, then the annexed city or village shall be detached from the annexing city or municipal county and shall be reestablished in the manner provided in this section. Such detachment and reestablishment shall take effect on the first day of the second full month following the election, and on that date:
- (a) The laws, ordinances, powers, government, and territory of such reestablished city or village shall be reestablished and shall extend over the territory embraced within such city or village as it existed immediately prior to the effective date of the annexation;
 - (b) The former elected officials of such reestablished city or village shall be reestablished in their respective elected positions, and their terms of office shall be the respective remainder of terms of office at the time of annexation. The office of any such official who fails or refuses to resume his or her office shall be filled as provided by law for a city or village of such population;
 - (c) The annexing city or municipal county shall deliver and return to such reestablished city or village all funds, effects, and property of any kind which the annexing city or municipal county succeeded to as a result of the annexation;
 - (d) All officers of the annexing city or municipal county having books, papers, records, bonds, funds, effects, or property of any kind in their hands or under their control belonging to such reestablished city or village shall deliver the same to the respective officers of such reestablished city or village entitled or authorized to receive the same;
 - (e) All taxes, assessments, fines, licenses, fees, claims, and demands of every kind assessed or levied against persons or property within the territory comprising the reestablished city or village shall be paid to and collected by such reestablished city or village;
 - (f) All taxes and special assessments which the annexing city or municipal county was authorized to levy or assess and which are not levied or assessed at the time of such reestablishment for any kind of public improvements made by the annexing city or municipal county or in process of construction or contracted for within the territory comprising the reestablished city or village, may be levied or assessed by such reestablished city or village, and such reestablished city or village may reassess all special assessments or taxes levied or assessed by the annexing city or municipal

county in all cases in which such reestablished city or village is authorized to make reassessments or relevies of such taxes and assessments;

- (g) The former extraterritorial zoning jurisdiction of such reestablished city or village shall be reestablished and shall extend over the territory embraced within such extraterritorial zoning jurisdiction as its boundaries existed immediately prior to annexation, except that such reestablished extraterritorial zoning jurisdiction shall not include any area within the corporate limits of another city or village; and
 - (h) Such reestablished city or village shall have all the powers and duties applicable to a city or village of the same population.
- (6) Proceedings to reannex such a reestablished city or village shall not be initiated for a period of five years after the effective date of reestablishment under this section. Proceedings to reannex such reestablished city or village shall require approval by a majority of the registered voters residing in the city or village and voting on the question of reannexation.